

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN**

IN RE:)	
REBECCA L. KEDROWSKI)	
)	Case No. 16-10947-cjf
)	
)	CHAPTER 13
DEBTOR)	

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

NOTICE IS HEREBY GIVEN THAT:

The Debtor has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, **then on or before 21 days after service of the notice**, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plan statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
500 South Barstow St
Eau Claire, WI 54701

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

Bankruptcy Law Office of Richard A. Check
757 N. Broadway, Ste. 401
Milwaukee, WI 53202

If you or your attorney, do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the plan.

Prepared By:
Attorney Richard A. Check, Esq.
757 N. Broadway, Suite 401
Milwaukee, WI 53202
Phone: 414-223-0000
Fax: 414-223-3245
rickchecklaw@aol.com

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

 X the Debtor;

 the Chapter 13 Trustee (post-confirmation modifications only);

 the holder of an unsecured claim

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A. X post-confirmation;

B. pre-confirmation (Select i. or ii.);

i. Debtor(s)/Debtor(s) attorney certifies that the proposed
modification does not materially adversely affect creditors (Local
Bankruptcy Rule 3015(b)); or

ii. X Debtor(s)/Debtor(s) attorney certifies that the proposed
modification materially adversely affects only the following creditors and
a copy of the proposed modification has been served on them (Local

Bankruptcy Rule 3015(b)). The creditors affected are: *see attached list

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

*Debtor wishes to adjust plan payment amount for feasibility

*Debtor wishes to clarify the treatment of certain secured claims, specifically the secured
claims filed by Cavalry SPV, LLC (claim #16) and Wells Fargo Bank, N.A. (claim #10)

4. The reason(s) for the modification is/are:

*Debtor has objected to the claim filed by Cavalry SPV, LLC (claim #16) as the debtor intends to surrender her interest in the secured collateral. Debtor does not intend to pay this claim through the plan.

*In Debtor's original filed schedules and plan, Debtor failed to classify the Wells Fargo Claim as "secured." The debt was inadvertently listed on schedule F as an "unsecured debt. As a result, debtor must clarify her intention to pay the *secured* claim through the plan (an Amended schedule E/F and D have been filed with respect to these changes as well).

*Debtor must adjust her Chapter 13 plan payment for feasibility and to assure the plan is completed within the maximum 60 month term.

5. Select A. or B.

A. X The Chapter 13 Plan confirmed or last modified on July 6th, 2016 is modified as follows:

B. ____ The unconfirmed Chapter 13 Plan filed ____ is modified as follows:

***Debtor shall pay to Wells Fargo Bank, N.A. in the amount of \$825.23 at 0% interest through the plan for their secured auto claim (claim #10).**

***Debtor shall not pay Cavalry SPV, LLC for their secured claim (Claim #16) through the plan. Debtor intends to surrender her interest in the collateral.**

An Objection to the claim has been filed.

*** Debtor's plan payment shall increase to \$347 bi-weekly for the remainder of the plan. These payments shall be made direct to the Trustee.**

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

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CERTIFICATION

I, Attorney Richard A. Check, attorney for Debtors, certify that I have reviewed the modification proposed above with the Debtor(s), and that the Debtor(s) has/have authorized me to file it with the court.

S://
Attorney Richard A. Check

11/21/16
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated November 21st, 2016 in Milwaukee, WI 53202

Signature: /s/ Richard A. Check
Richard A. Check
#10122-04
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 21st, 2016 a copy of the Notice and Request to Modify Chapter 13 plan was electronically filed with the Clerk of Court and served upon the following parties using the ECF System or by first class United States Mail, postage prepaid:

Rebecca Kedrowski
PO Box 55
King, WI 54946-0055

Associated Bank
Claims Filing Unit
PO Box 8973
Madison, WI 53708-8973

Bank Of America, N.A.
PO BOX 31785
Tampa, FL 33631-3785

Bk of Amer
PO Box 45144
Jacksonville, FL 32231-5144

Bureaus Investment Group Portfolio No 15 LLC
c/o Recovery Management Systems Corp
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

Cap1/mnrds
PO Box 7680
Carol Stream, IL 60116-7680

Cap1/polrs
PO Box 7680
Carol Stream, IL 60116-7680

Capital One
PO Box 5222
Carol Stream, IL 60197-5222

Capital One NA
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Cavalry SPV I, LLC
Bass & Associates, P.C.
3936 E. Ft. Lowell Rd., Suite 200
Tucson, AZ 85712

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Citi

PO Box 6004
Sioux Falls, SD 57117-6004

Comenity Bank/Maurices

PO Box 182789
Columbus, OH 43218-2789

Community First Credit Union

PO Box 1487
Appleton, WI 54912-1487

Community First Cu

2626 S Oneida St
Appleton, WI 54915-2101

Discover Bank

Discover Products Inc
PO Box 3025
New Albany, OH 43054

Discover Fin Svcs LLC

PO Box 15316
Wilmington, DE 19850-5316

eCAST Settlement Corporation

PO Box 29262
New York NY 10087-9262

Elan Financial Service

777 E Wisconsin Ave
Milwaukee, WI 53202-5300

Fed Loan Serv

PO Box 60610
Harrisburg, PA 17106-0610

First Federal Svg/Glel

PO Box 7860
Madison, WI 53707-7860

Kohls/capone

N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051

Kwik Trip

1626 Oak St
La Crosse, WI 54603-2308

KWIK TRIP CORPORATION

C/O CERTIFIED RECOVERY INC
PO BOX 808
EAU CLAIRE, WI 54702

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MIDLAND FUNDING LLC

PO BOX 2011
WARREN, MI 48090

Portfolio Recovery Associates, LLC

POB 12914
Norfolk VA 23541

Quantum3 Group LLC as agent for

Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Santander Consumer USA

8585 N Stemmons Fwy Ste 1100-N
Dallas, TX 75247-3822

Santander Consumer USA, Inc.

P.O. Box 560284
Dallas, TX 75356

Syncb/Care Credit

C/o
PO Box 965036
Orlando, FL 32896-5036

U.S. Department of Education

C/O FedLoan Servicing
P.O. Box 69184
Harrisburg, PA 17106-9184

US Bk Hm Mtg

4801 Frederica St
Owensboro, KY 42301-7441

Wells Fargo Bank NA

PO Box 10438
Des Moines IA 50306-0438

Wffnatbank

PO Box 94498
Las Vegas, NV 89193-4498

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Additionally, the documents referenced above were also served via electronic means on the following individuals on November 21st, 2016:

Office of the United States Trustee Western District of Wisconsin 780 Regent Street, Ste 304 Madison, WI 53715	Mark Harring Chapter 13 Trustee 131 W Wilson Street, Ste 1000 Madison, WI 53703
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Date: 11/21/2016

S:// Samuel Check

Samuel Check

Paralegal for Attorney Richard A. Check

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